

FEB 27 2009

**HAMRE, SCHUMANN,
MUELLER & LARSON, P.C.**

AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION

February 27, 2009TO: Examiner: HAQ
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

FROM: Douglas P. Mueller

OUR REF: 10921.0419USWO

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Title of Document: **RESPONSE TO ELECTION OF SPECIES REQUIREMENT (2
PAGES)**Applicant: KOSAKA ET AL.
Serial No.: 10/586774
App. Filed: July 21, 2006
Group Art No.: 1641
Conf. No.: 8007

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Name: Douglas P. Mueller

Reg. No.: 30,300

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Gina M. Dahl


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S/N 10/586,774

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KOSAKA ET AL.	Examiner:	HAQ
Serial No.:	10/586,774	Group Art Unit:	1641
Filed:	JULY 21, 2006	Docket No.:	10921.0419USWO
Title:	METHOD OF PROTEIN MEASUREMENT		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on February 27, 2009.

By: 
Name: Gina M. Dahl

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants elect the following in response to the Election of Species Requirement of February 5, 2009: (1) protein measurement indicator represented by Chemical Formula 3 set forth in claim 13; (2) since claim 6 sets forth only a single method of deriving arithmetic expression, applicants believe no further election beyond the method set forth in claim 6 is needed – applicants courteously request a more detailed explanation of this aspect of the election requirement if this response is not considered sufficient; (3) dye binding method set forth in claim 7; (4) enzyme method set forth in claim 8. Claims 1-13 and 15-17 read on or are generic to the elected species, with claims 1-6, 9-11, and 15-17 being generic.

An early and favorable action on the merits is requested.

S/N 10/586,774

PATENT

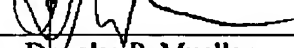
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No. 50-3478.

Respectfully submitted,

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